

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

In lieu of conducting an initial pretrial scheduling/discovery conference in this case pursuant to Rule 16(b) of the Federal Rules of Civil Procedure,

IT IS HEREBY ORDERED that each of the parties shall submit to the court a proposed pretrial plan by November 3, 2008. The proposed pretrial plan should cover any applicable items listed in the attached sample as well as any other items appropriate in this case. All deadlines in the proposed pretrial plan must lapse within fourteen months of the date of filing of the complaint in this case. The plans should not be filed with the court, but submitted the Magistrate Judge at P.O. Box 670, Bismarck, ND 58502-670 or e-mailed to ndd_J-Miller@ndd.uscourts.gov. Upon receipt and review of the proposed plans, the court will enter pretrial case management plan and will schedule the trial for this matter.

Dated this 1st day of October, 2008.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge